

11-4-2010 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Norman J. Uhteg
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Highway Superintendent Donald W. Hopkins
Town Clerk Betsy A. Marsh
Approx. 25 guests

The Sardinia Town Board held its Regular Town Board meeting for November on November 4, 2010 at the Sardinia Community Center. The meeting date had been changed due to the scheduled date falling on November 11, Veterans Day, and a Notice of Change of Meeting had been published in both the Arcade Herald and the Springville Journal. Supervisor Mary Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence, asking that in observation of Veterans Day next week, everyone remember those who have fallen in service to our Country.

The Town Clerk has submitted the minutes of the October 14, 2010 Regular Town Board meeting, the October 14, 2010 Public Hearing on the Town Budget, and the Public Hearing on the CDBG grant funding. On a motion by Montgomery, seconded by Earl, those minutes were approved as written. Carried, 5 ayes, 0 noes.

Departmental Reports included:

Supervisor Hannon stated she has received a quote from Hometown Firefighters Services for the life insurance portion of the LOSAP, to switch from Whole life insurance to Term life insurance. She stated that the cost for Term Life insurance would be \$3,618.96, vs. \$11,790.53 for Whole life insurance, a savings of over \$8,000.00. The Supervisor stated that the audit of the Town Court started on Monday and is nearly finished, with the Court Division being very cooperative, and the Fire Company audit started Wednesday, and they were a little less than cooperative, especially the Treasurer. She stated that the Fire Company audit will continue on Friday. Ms. Hannon stated she has received a request from Randy Mayer of the Bible study group that is meeting in this building. Mr. Mayer would like to continue to use the building on Wednesdays from now until December 8th. No one had a problem with that, and on a motion by Earl, seconded by Miller, Mr. Mayer was given permission to continue using the building through December 8, 2010. Carried, 5 ayes, 0 noes.

Councilman Uhteg reported that the new streetlights are all up and working, and he has given the Town Clerk a list of streetlight outages, which will be faxed over to NYSEG and Arcade Electric. He stated he has also received a complaint about a residence on the end of Savage Rd. that has about 10 vehicles, some with license plates, some without. He stated it is unsure if it is a used car sales, or a repair shop, and stated he has spoken to the CEO, who has contacted the State because both types of businesses require a State license. Councilman Uhteg stated he has looked at the Town Zoning Code and feels neither use is allowed in that area. He stated he would like to get the Code Enforcement Officer involved. Upon discussion, Attorney Joseph will contact the Code Enforcement Officer about the matter.

Councilman Montgomery stated that the October 29th Flu Clinic was well attended, with 111 vaccinations being given, and he thanked everyone who helped out, and Waste Management for the brunch. Mr. Montgomery stated that 68 vaccinations were given at the free rabies clinic on October 30th, but explained that, due to a family emergency, the Veterinarian scheduled to do the clinic, a Town resident who volunteers her time, had to be replaced by a Vet from Eden. and stated he would like to pay the Vet who filled in. On a motion by Montgomery, seconded by Earl, the Board agreed to pay Jennifer Mumford, DVM, \$50.00 for her time at the rabies clinic. Carried, 5 ayes, 0 noes. Councilman Montgomery stated that the Food For All program will be coming to the Town Hall/Community Center on the 3rd Monday of each month for the next six months, from 3 PM until 5 PM, and he asked for permission to advertize the program., On a motion by Uhteg, seconded by Earl, the Town Board approved advertisement of the Food For All program. Carried, 5 ayes, 0 noes. Mr. Montgomery stated that he is looking into a water testing program for the Town, and stated that he will be getting prices from Erie County Labs, Test America, and Panamerican Environmental. He also stated that, concerning the H.E.A.P. Program, it will be after January before they come here. Councilman Montgomery also stated that he has finally gotten hold of someone who will do an AARP driving course, and would like to open it up to not only residents of Sardinia, but the surrounding vicinity, also, and asked permission to advertise the course, when he has a scheduled date. On a motion by Earl, seconded by Miller, advertisement of the driving course was authorized. Carried, 5 ayes, 0 noes.

Councilman Earl stated that she now has the new corrected Springville Control contract, and it will be acted on later in the agenda. She stated it had been revised because they had forgotten to charge the school system in the previous draft. Concerning the employee handbook, she stated she has placed a draft in each Councilmen's mailbox, and would welcome changes, comments and suggestions in e-mail or written form, or by phone. She stated that many previous Boards have tried to get one in place, and she would like to get it done so that it can be adopted in December

Councilman Miller reported that the renovation work At the Historical Society's Meeting House, have been going well, but he noted that no one wants to bid on replacing the floor. He stated he did get a late bid via Leo McCarthy for the replacement of the south side door, in the amount of \$1,788.00 from Springville Window and Door. Councilman Uhteg asked if they have contacted any other contractors and Mr. Miller stated they have been having trouble getting bidders for projects due to having to bid the prevailing wage rate. The Town Clerk questioned the need to bid with prevailing wages rates if the project is not funded by grant money, and the Attorney for the Town stated that municipalities have to due to the statutes. Supervisor Hannon stated that Board members would like to see at least one another quote on the door project. Councilman Miller also

stated that he attended a Water Action Consortium meeting and suggested that the Town of Sardinia should join the Erie County Water Quality Committee. On a motion by Miller, seconded by Earl, the Board agreed that the join the Erie County Water Quality Committee. Carried, 5 ayes, 0 noes. Mr. Miller also informed that at last night's Planning Board meeting, the Chairman of that Board resigned the Chairman position, but would like to remain as a member of the Planning Board, and Mr. Miller stated that the Town Board needs to appoint a new Chairman. Supervisor Hannon stated she had just been made aware of the resignation and would like time to think about it. Councilman Miller informed that a new business has come into the Town, and welcomed G.A. Family Services, which has opened a new office in the Tri-County Business Park, and will have 10 to 12 employees. Mr. Miller then announced several fundraising events, including:

On Sat. 11/6 St. Paul's Church in West Falls is having a spaghetti dinner fundraiser to benefit a woman with cancer.

On Sat. 11/13 the Springville G-I Education Foundation will have a wine tasting and silent auction to benefit Bertrand Chaffee Hospital's Digital Mammography fund.

On 11/19 and 11/20, The Arcade Area Community Theater is putting on the play "A Christmas Carol" as part of the "Miracle on Main St". in Arcade, sponsored by the Chaffee-Sardinia Kiwanis and benefiting G.A. Family Services.

On 11/ 21 the Pioneer Sno-Surfers Snowmobile Club is having a craft show at the Hearth to benefit the Club.

On Monday 11/22 the Chaffee-Sardinia Kiwanis Club will be having a Pizza Hut Fundraiser to benefit the area food pantries.

Highway Superintendent Hopkins reported that the sand and salt building is now full. He also stated he has been in contact with Michael Shaw, the PAD Coordinator, about training on the AED's, who has informed that he is still waiting to hear from the CPR instructor about a date for the Highway Employees to be trained on the equipment. Councilman Earl stated that she missed the training before, and would like to take the course when the Highway Dept. has it. Supervisor Hannon stated there may be others, also. Mr. Hopkins announced to Town residents that they may put trees, brush, etc. out by the road, call the Highway garage, and they will come with the chipper. He also stated that they will be accepting Christmas trees at the Highway Barn for chipping, and in December, would like to advertize that fact. On a motion by Earl, seconded by Miller, the Highway Superintendent was authorized to advertize the chipping of Christmas trees. Carried, 5 ayes, 0 noes.

Attorney for the Town Linda Joseph reported that she has been working on the release of the Firemen's LOSAP funds by Affordable Benefits, and stated they are charging a couple of fees, several hundred dollars, on the variable annuity, even though the Town was told from the beginning that there would be no such fees. She stated that those funds are going to be released. Attorney Joseph stated she has been working on preparing the documents for the takeover of Administrator duties for the LOSAP program by Hometown Firefighters. She stated she has brought paperwork this evening for the Board and Supervisor to sign to get the 6% interest rate on the variable annuity. Attorney Joseph stated she is also finalizing the transfer of the Old Town Hall property to the Historical Society, and has been writing the contracts for the Historical Society and the Legion, and has heard from the Historical Society's Attorney, agreeing to the terms of that contract. She stated she has also reviewed the Springville Control Center contract and finds it to be in order. Ms. Joseph stated she helped with the audit of the Fire Company in that she assisted with getting it accomplished on time, stating that unfortunately, there was a lot of resistance on the part of the Treasurer. She stated that an audit should have been done in 2008 and was not. She stated that the Fire Company was notified by the Supervisor during the first week in October that this was scheduled, and stated she doesn't understand the lack of cooperation. Finally, on a personal note, she once again stated that the wine tasting and silent auction fundraiser benefiting Bertrand Chaffee Hospital's digital mammography program, sponsored by the Springville Griffith-Institute Community Education Foundation is a lot of fun, but more importantly, is a great thing for the surrounding area because it serves to sustain the Community Hospital.

Supervisor Hannon then asked for a motion to approve payment of the bills, and on a motion by Montgomery, seconded by Earl, General Fund Warrant #11 of 2010, including vouchers #581 through #634, totaling \$40,219.40, and Highway Fund Abstract #11 of 2010, including vouchers #150 through #164, and totaling \$35,747.76, were approved for payment. Carried, 5 ayes, 0 noes.

Under Public Comments:

Clinton Salmon, President of the Chaffee-Sardinia Senior Citizens, stated that the Senior Thanksgiving Dinner will be held at the Hearth Restaurant on November 18th at 12:30 PM, and stated that all is asked for in payment by the Senior Citizens is a non-perishable food item, which will then be used to make up the Christmas food baskets for the needy by the Kiwanis Club.

Mr. Salmon asked the Board to approve pre-payment of the dinner cost, in an amount not to exceed \$1,000.00, since the Hearth requires payment on the day of the dinner. Therefore, on a motion by Earl, seconded by Miller, the Board authorized the pre-payment of a check to the Hearth Restaurant, in an amount not to exceed \$1,000.00, to be paid on November 18, 2010, for the cost of the Senior Citizens Thanksgiving Dinner. Carried, 5 ayes, 0 noes.

The Supervisor stated that the contract between the Sardinia Legion Post and the Town is ready for execution now, and the Supervisor noted that she is in hopes that the Legion will assist the Town in knowing when the Flag needs special placement, and is hoping that they will take care of that task. The following resolution, to be known as Resolution #85 of 2010, was then moved for adoption by Montgomery, seconded by Earl:

RESOLUTION #85 - 2010
APPROVAL OF VETERAN SERVICES CONTRACT
TOWN OF SARDINIA AND SARDINIA LEGION POST 1131

WHEREAS, the Sardinia Town Board agrees that the Sardinia Legion does provide a service to the Town and an amount of \$2500 has been requested by the Sardinia Legion Post 1131, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board has reviewed the contract resubmitted by our attorney for the Town, Linda Joseph, Esq., and has agreed upon the terms for a contract with the Sardinia Legion Post 1131 in the amount of \$2500 to be approved each year for a three year period of the contract.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

The Supervisor stated that the next resolution is to approve the agreement between the Town and the Historical Society, and stated the Historical Society is meeting at 7:00 PM tonight to look the contract over, She stated she would like the resolution adopted pending the approval of the contract by the Historical Society. The following resolution, to be known as Resolution #86 of 2010, was moved for adoption by Miller, seconded by Earl:

**RESOLUTION #86 - 2010
APPROVAL OF CONTRACT WITH TOWN OF SARDINIA AND
SARDINIA HISTORICAL SOCIETY**

WHEREAS, the Sardinia Town Board agrees that the Historical Society does provide a service to the Town and previously passed a resolution at its regular monthly meeting held on August 12, 2010 to provide the amount of \$25,000 annually for a period of three years to financially support such services and to aid in the maintenance of the Meeting House building whose transfer to the Historical Society was also approved at the monthly meeting held on August 12, 2010, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board has reviewed the contract resubmitted by our attorney for the Town, Linda Joseph, Esq., and has agreed upon the terms for a contract with the Historical Society in the amount of \$25,000 to be approved each year for the three year period of the contract, pending acceptance of the contract by the Sardinia Historical Society.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

Supervisor Hannon stated that the next resolution is to adopt the 2011 Town of Sardinia Budget, and stated that there have been no changes to the Tentative Budget and no changes to it, before or after the Public Hearing. The following resolution, to be known as Resolution #87 of 2010, was then moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #87 - 2010
APPROVAL OF 2011 BUDGET**

WHEREAS, the Sardinia Town Board has reviewed the 2011 Preliminary Budget and adopts this budget as stands, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby adopts the 2011 Budget for the 2011 year.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, no, Hannon, aye. So resolved, 4 ayes, 1 no.

Supervisor Hannon stated that the next resolution is transfers within the Budget. The following resolution, to be known as Resolution #88 of 2010, was then moved for adoption by Earl, seconded by Miller:

**RESOLUTION #88 - 2010
APPROVAL OF TRANSFERS**

WHEREAS, the Sardinia Town Board amends the following budget transfers for the 2010 Town of Sardinia budget:

<u>Amount</u>	<u>Transfer from</u>	<u>Transfer To</u>
\$10,842.04	A1990.4 Contingency	DA9060.8 Medical Ins. Highway

To \$10,842.04 transfer from 599 DA Highway Fund Balance to DA9060.8 Medical Ins. Highway, and

WHEREAS, the Sardinia Town Board also approves the following budget transfer in the 2010 Town of Sardinia Highway budget:

<u>Amount</u>	<u>Transfer from</u>	<u>Transfer to</u>
\$6274.46	DA5130.43 – Machinery/Parts	DA5130.2 – Machinery- Equip.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board authorizes the above noted budget transfers for the 2010 Sardinia Town Budget.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

Supervisor Hannon stated that, with regards to the proposed Rt. 16 water district, the Planning Board has decided that more updated information was needed, and she stated that the Town Board also feels that it would be a good thing to do. She stated that the resolution is self-explanatory, and on a motion by Miller, seconded by Montgomery, the following resolution, to be known as Resolution #89 of 2010 was moved for adoption, as follows:

**RESOLUTION #89 - 2010
APPROVAL OF PLANNING BOARD TO UPDATE PROPOSED ROUTE 16 WATER DISTRICT REPORT**

WHEREAS, at a meeting held on October 19 with the Sardinia Planning Board, the Town Board agreed that an update to the April 2008 proposed Route 16 Water District report by Clark Patterson Lee is needed to gain additional information on this project.

WHEREAS, the Town Board and Planning Board agree to the following items needed to update and or/added.

1. Removal of the proposed business park and townhouses from previous cost analysis for the district.
2. Addition of the properties along East Schutt Road to the proposed district.
3. Updated figures to reflect current conditions, including but not limited to any infrastructure improvements needed by Yorkshire or Arcade to supply water to the proposed district.
4. Emphasis to be placed on the option that would best fulfill the quantity and pressure requirements needed for both fire protection and potable water.
5. Add additional option of having Chaffee Water Works supply the water to the district extending south along Route 16 based on the new lines and capacity added in the recent upgrade to their system.
6. Add a cost analysis of drilling and constructing a well and storage system to supply the water if the town established its own water company.
7. Adding any cost to the project if a storage tower would be needed to fulfill the quantity and pressure requirements from any of the proposed water sources.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the commission of Clark Patterson Lee to update and revise the previous report with the above listed changes and additions, not to exceed the cost of \$2000.00.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

The Supervisor explained that the next resolution is to purchase new lighting equipment, as was recommended in the energy audit. She stated that the building caretaker has prepared proposals and received quotes from C & G Electric, in the amount of \$2,597.50, and LA Hazard/Irr Supply, in the amount of \$1,947.00. After discussion with the Caretaker, it was felt that a few extra lights should be added, as well, and therefore, the cost in the resolution is not to exceed \$2,400.00. Therefore, the following resolution, to be known as Resolution #90 of 2010, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #90 - 2010
APPROVAL OF PURCHASE OF NEW LIGHTING EQUIPMENT FOR COMMUNITY CENTER**

WHEREAS, after discussion at Board meeting of October 14, 2010, the Supervisor brought to the Board's attention that purchase of new lights and lighting ballasts for the Community Center would be a cost effective measure, and

WHEREAS, the Supervisor has asked the Sardinia Town caretaker to acquire costs for this project from two businesses, and

NOW, THEREFORE BE IT RESOLVED, from the prices received, the Sardinia Town Board approves the quote from LA Hazard/Irr Supply at a cost not to exceed \$2400 for the purchase of lighting and ballasts to be installed by our caretaker; which, according to our recent energy audit, will move the cost savings in electricity to be made up in just over two years.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

Supervisor Hannon stated that the next resolution is for the purchase of a new furnace for the Highway Garage. Highway Superintendent Hopkins stated that the energy audit also recommended a new furnace be installed at that building. He stated that he has received two quotes, one from Crabb Oil in the amount of \$1,808.57, and one from Vacinek Heating in the amount of \$3,115.00. He stated he is comfortable with the bid from Crabb Oil. Therefore, the following resolution, to be known as Resolution #91 of 2010, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #91 - 2010
APPROVAL OF PURCHASE OF NEW FURNACE FOR TOWN HIGHWAY BUILDING**

WHEREAS, the Sardinia Town Board has agreed after review of the Energy Audit of the Highway Building that a new furnace would be a cost savings to the Town of Sardinia, and

WHEREAS, Superintendent Donald Hopkins has received quotes from two agencies for the cost of a new furnace and installation, and Crabb Oil, Inc. has given the Town a lower cost,

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the purchase of a new furnace for the Sardinia Highway building from Crabb Oil, Inc. in the amount of \$1,808.57.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

The Supervisor stated that the last resolution is to approve the contract between the Town of Sardinia and the Springville Control Center. She thanked Councilman Earl for all her time and work in finally bringing this agreement to the table. The following resolution, to be known as Resolution #92 of 2010, was then moved for adoption on a motion by Earl, seconded by Miller:

**RESOLUTION #92 - 2010
AUTHORIZATION FOR SUPERVISOR MARY HANNON TO SIGN
SPRINGVILLE CONTROL CENTER CONTRACT**

WHEREAS, the Sardinia Town Board recognizes the need for services provided with the Springville Control Center, and

WHEREAS, the Sardinia Town Board has reviewed the contract between the Springville Control Center and the Town of Sardinia, Village of Springville and Town of Concord, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the contract between the Town of Sardinia and the Springville Control Center and hereby authorizes Supervisor Mary Hannon to execute the contracted to be entered into on January 1, 2011.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved, 5 ayes, 0 noes.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:05 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk